

EAST PALESTINE VILLAGE COUNCIL MONDAY OCTOBER 26, 2015 7 PM 85 N. MARKET ST.

Mayor Zuch called the meeting to order. Present were Atty. Beagle, Mr. Elzer, Mr. Cohen, Mr. Todd, Mr. Tyger and Mrs. Wisser. Also present was Village Manager Pete Monteleone, Law Director Dave Powers, and Clerk Misti Martin. The minutes of the October 12, 2015 meeting were approved on a motion by Mr. Cohen seconded by Mrs. Wisser. All in favor.

AGENDA : Ken Sabo of Teamsters Union Local 377- Labor relations and negotiations. Mr. Sabo stated they had met last week to negotiate a new contract at which time the negotiating committee stated that council may no longer recognize local 377 and that it was his understanding that it would be voted on tonight. Mr. Sabo said that if council has issues they need to be brought to the table and saying they may not recognize the union out of the blue is unacceptable and he would like to know the reason why. He said there has only been one grievance filed in 16 years, and if council has issues he would like to see them brought to the table. Mr. Elzer said he did not think council was voting on that tonight. Mr. Sabo again stated that it was his understanding at the meeting that it would be presented to council at the next meeting and after it was discussed they would make a decision on what direction they were headed. Mr. Cohen said he and Atty. Beagle were at that meeting, he said that the union made their proposal and their response was they would take that proposal to council at which time they would decide what direction to take and that at that point in the meeting council hadn't even heard the proposal yet. Mr. Sabo said they thought they were there to negotiate but found out it had to be taken back to council, Mr. Cohen said they can't negotiate without the approval of all of council. Mr. Cohen said that the union made a proposal on wages and one on clauses in the contract to which Mr. Sabo said the only proposal he made was a 3% wage increase across the board. Mr. Cohen stated that he also said that everything else in the contract was negotiable, Mr. Sabo stated he made a proposal of wages only saying that the hospitalization was fine and said that if council had any other issues they would be willing to discuss them. Mayor Zuch asked what the plan was and Mr. Cohen stated that they planned to go into executive session at which time he and Atty. Beagle would inform council of the proposal, get direction from them and then either the Manager, Atty. Beagle or Mr. Cohen would inform Mr. Sabo. Mr. Sabo said that meeting was set up to negotiate but no actual negotiations took place. Atty. Beagle stated that they went into the meeting with idea of proceeding they way they always do, sitting down to talk which everyone did and then everyone left without negotiating but instead telling him that they union may not be recognized. Mr. Sabo agreed with Atty. Beagle. Atty. Beagle said the Manager was going to get back to him tonight, she asked Mr. Sabo what he thought the Manager was going to tell him and Mr. Sabo said that his understanding was he would be told which direction council would be going, either negotiating or not. Atty. Beagle stated that was her understanding also and that council will always have to agree to whatever is negotiated.

Amanda Herman- Labor Relations. Ms. Herman stated she was there on behalf of the teachers union, the Ohio Education Association to show their support for the Teamsters Union Local 377. There was no clerks report.

MAYOR: Mayor Zuch stated there are three seats coming open on the Library Board and they are council appointments, the terms expire December 31, 2015. The current members may reapply and any resident may apply for a position on the board. Interested parties should submit letters to the Municipal Building by December 7th so council can make their decisions at the December 14th meeting.

MANAGER: Manager Monteleone stated that Commissioner Tim Weigle, 911 Administrator Peggy Clark and Chief Dickey were here to answer questions on the changes to the 911 system. Mr. Weigle stated that currently East Palestine is one of five PSAPs (public safety answering points). He said there is current legislation at the state, HB 128.571 that diverts cell phone calls away from one of the five PSAP's. Mr. Weigle said that in reference to AT & T cell phone calls that they do not send any calls to Columbiana, Salem, or East Palestine, Mr. Cohen asked why that was and Ms. Clark said that it was probably done by a previous 911 Administrator but she doesn't know why and Mr. Weigle said are going to try to change it so the calls go where they are supposed to go. Ms. Clark

stated she is working on figuring out a ways to meet the standards that are set by the state, if we don't comply by the end of this year we could lose around \$130,000.00 in funding. Mr. Weigle stated that no landline 911 calls will be directed; only cell phone calls. Mr. Elzer asked what we are saving by reducing the number of PSAP's and Mr. Weigle said we are saving nothing. Mr. Cohen asked if he made a 911 call from his cell phone right (provided it wasn't on ATT) now where would it go and Chief Dickey said it would go to East Palestine dispatchers, Mr. Cohen asked that if they dropped us as a PSAP where would it go and Chief Dickey said it would go to a different PSAP and then it would be transferred back to East Palestine to which Mr. Cohen stated it is basically adding an extra unneeded step. Mr. Todd stated that years ago standard SOP's were developed by the 911 Committee but not distributed or enforced and that East Palestine was the only one who followed them which can result in a dispatcher not using the one touch transfer and then hanging up on the caller, calling a different PSAP and verbally giving them the information which can result in misinformation and delays. Chief Dickey stated that the state is developing new SOP's; Mr. Weigle said that the state is also in the process of developing new rules.

LAW DIRECTOR: Atty. Powers stated he gave council a new draft of potential legislation to allow dogs in the park.

STREET: Mr. Todd asked if we were taking bids on the new dump truck being looked at and Manager Monteleone said that we have the state bid and we are getting a quote from Britains. Mr. Todd stated that since he was sworn in he has had multiple fire department employees tell him they were instructed that they are not allowed to speak to him as a councilman about fire department business and that it came from the Village Manager. Atty. Beagle stated she was told the same thing except that it was not just the fire department, that none of the employees were to talk to her. Manager Monteleone said he has not spoke to any personnel and told them they are not to talk to council. Mayor Zuch stated that no one can tell anyone who they can talk to. Mr. Cohen said there is a section in the Charter in regards to council members directing or discussing village business with village employees. Atty. Beagle stated there is a chain of command. Atty Powers stated that individually council has no authority to direct employees of the Village, if an employee has an issue they are not to bring it directly to council; it should be brought to the Manager. Atty. Beagle stated that council must also remember that if an employee comes to them with a problem to direct them to the Manager. Mr. Todd asked that a memo be put out to everyone to set things straight and Atty. Powers said he would look into it.

S/P/R/C: NO REPORT

DEVELOPMENT: Mr. Elzer stated the spaghetti dinner to raise funds for the dog park went well along with the meet and greet for the police and fire departments.

UTILITY: NO REPORT

FINANCE: NO REPORT

THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

VISITORS: Dianna Elzer, Rick & Karen Gorby, Carol Cope, Kelly Sheerer, Staci Griffith, Danyelle Jurjavcic, Paula Jurjavcic, Pam Kline, Jill Jurjavcic, Thomas Evans, Mike Dugan, John Jurjavcic Jr., John Martin, Leanna Dugan, Jim Franklin, Jon Rettig Jr., Zach Gorby, Rich Griffith, Dave Kibler, Peggy Clark, Brock Jurjavcic, Bonnie Grantz, Ronnie Blatt, John & Dot Herbert, Scott Wolfe, Dana & Darren Whitlock, Patti Bosley, Marcy Chidester, Jesie Chidester, Taylor Vornigan, John Bosley Sr, Tim Cope, Terri Ward, Ken Sabo, Steven Anzevino, Mitch Dyke, Larry Wales, Doug & Linda Lammert, Will Ginder, Sgt. Don Johnson, Tom Delo, Joe Thompson, Christ Hughes, Kent Chapman, Larry Clapsadle, John Simon Jr., Linda May, Brian Rutledge, Josh Foster, Mike & Missy Smith, Cindy Parker, Liz Sherry, Jennifer Hiltbrand, Gary Smith, Chief Josh Brown, Lisa Hull, Erica Seeger, Angi Hacker, Steve Tigelman, John Jurjavcic, Dan Scott, Jerry Coblentz, Mike Hughes, Denny Griffith, Amanda Herman, Melissa Gatchel, John Davis, Lewis Concho, Mary Beth DiCello, Sam & Lori Greene, Rube & Brenda

Ginder, Katie White, Mark Walker, Commissioner Tim Weigle, Chief Kevin Dickey, and Finance Director Traci Thompson.

LEGISLATION: LEGISLATION: Atty. Beagle introduced Ord. 19-2015 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance to amend Chapter 880 of the Codified Ordinances of the Village of East Palestine regarding Municipal Income Tax.** Atty. Beagle called for a vote on Ord. 19-2015. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Todd-y, Mr. Tyger-y, Mrs. Wisser-y. Atty. Beagle introduced Ord. 20-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance suspending all payments on loans owed to the Electric Trust Fund for a period of five (5) years and repealing legislation on conflict herewith, and as amended.** At this point Mr. Cohen made a motion to go into executive session under ORC section 121.22 Section G4 for negotiations/collective bargaining and compensation of employees, seconded by Mr. Elzer. Mr. Cohen invited Atty. Powers into executive session. Approximately 30 minutes later council resumed regular session. Mr. Cohen made a motion to authorize the negotiating committee to continue with collective bargaining with the Teamsters and the FOP and to authorize the Manager to schedule the next negotiating meeting, seconded by Mr. Tyger, all in favor. Mr. Sabo asked if the motion meant council was recognizing Local 377 as a bargaining unit for the public sector and Mr. Elzer said that is not what was said, that council agreed to continue with negotiations. Mr. Sabo asked if council was going to keep the employees under Local 377’s contract, he said there was no reason to negotiate if it would not be in “good faith”. Mr. Cohen said it is council’s desire and hope to negotiate a new contract.

ADJOURN: Mr. Elzer made a motion to adjourn, seconded by Mr. Tyger. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH